

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

RUBIE'S COSTUME COMPANY, INC.,  
a New York corporation

Plaintiff,

v.

ZENG WEI YI; HAIYAN ZHOU; XIAN  
SONG; GENMAO HUANG;  
HUANHUAN CHEN; TRUONG LE;  
SUN YA; GUO GENG LIN;  
GUANGZHOU CHANNEL  
INFLATABLE CO., LTD.; JUN WU  
WANG; TOM CHIU; JIAN HE  
HUANG; and JOHN DOES 1-14,  
currently unknown individuals and  
entities,

Defendants.

Case No. 2:18-cv-01532-RAJ

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S  
MOTION FOR ALTERNATIVE  
SERVICE UNDER FED. R. CIV. P.  
(f)(3) AND LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

This matter comes before the Court on Plaintiff's Motion for Alternative Service and Leave to File a Second Amended Complaint. Dkt. # 14. The Court has reviewed the Motion and supporting documents, and the remainder of the record. Here, the Court finds that service by e-mail and through Defendants' electronic storefronts is permitted as to some Defendants given the circumstances of this case, specifically, where Plaintiff has been unable to ascertain physical addresses for service after a reasonable effort or where

there is evidence defendants are attempting to evade service. *See, e.g., Rubie's Costume Company, Inc. v. Yiwu Hua Hoa Toys Co., Ltd.*, 2:18-cv-01530-RAJ (W.D. Wash. Nov. 25, 2019), Dkt. No. 22; *Keck v. Alibaba.com, Inc.*, 2018 WL 3632160, at \*3–4 (N.D. Cal. July 31, 2018); *Microsoft Corp. v. Gameest Int'l Network Sales Co.*, 2017 WL 4517103, at \*2-3 (N.D. Cal. Oct. 10, 2017); *Chanel, Inc. v. Lin*, 2010 WL 2557503, at \*3 n.3 (N.D. Cal. May 7, 2010); *Williams-Sonoma Inc. v. Friendfinder Inc.*, 2007 WL 1140639, at \*2 (N.D. Cal. Apr. 17, 2007). Accordingly, Plaintiff's Motion is GRANTED as to Defendants Genmao Huang and Jian He Huang.

For those remaining defendants where Plaintiff has identified physical addresses in China, the Court DENIES Plaintiff's Motion. From the record, it does not appear that Plaintiff has attempted service on these defendants at all. In addition, Plaintiff has failed to demonstrate that these defendants are elusive or otherwise striving to evade service of process. *Rio Properties*, at 1014 (plaintiff must demonstrate that the facts and circumstances of the present case necessitated the district court's intervention for alternative service of process).

For the foregoing reasons, the Court **GRANTS in part** and **DENIES in part** Plaintiff's Motion for an Order Directing Alternative Service of Process. Dkt. # 14. The Court also **GRANTS** Plaintiff's Motion for leave to file a Second Amended Complaint. *See* Fed. R. Civ. P. 15(a). Plaintiff has leave under Federal Rule of Civil Procedure 4(f)(3) to serve Defendants Genmao Huang and Jian He Huang with the Second Amended Complaint, the Summons, and this Order by the following unique email addresses and Amazon Seller Accounts as indicated below:

Defendant	Amazon.com Seller Account	Email Address
Genmao Huang	"JANKIA" (A1LN577ONP7HFV)	huaggenmao1@sina.com
Jian He Huang	"Tingzun" (A1A1N2RZ3KOKXM)	customerservice@teemzone.net

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1 Plaintiff has **14 days** from the date of this Order to serve the Defendants in  
2 accordance with this Order.

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4 DATED this 25th day of November, 2019.

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8 The Honorable Richard A. Jones  
9 United States District Judge  
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